

To: Jane M. Long[JLong@mlcorporateventures.com]
Cc: Galbraith, Erin[galbraith.erin@epa.gov]
From: Chow, Kevin
Sent: Fri 12/5/2014 8:11:44 PM
Subject: RE: Meleen consent agreement

Jane,

Erin Galbraith of the EPA Underground Storage Tank program says that Mr. Meleen's wife Holly contacted her prior to or around Thanksgiving. Erin was told that the tanks have been pumped out. This is obviously consistent with a shutdown of operations for the time being. Erin told Holly that the fill caps should be locked, and to please send Erin documentation of the work order for the pump out. Erin has not received the work order documentation yet.

As long as the tanks are empty and the fill caps locked, all of the compliance items in the consent agreement are now moot except for the need to test/inspect the corrosion protection system every three years, with the next routine corrosion system protection inspection to occur June 6, 2016. This is necessary even if the tanks are currently empty.

Note that there are EPA regulations to follow for "temporary" or "permanent" closure of tanks.

EPA 's focus in the enforcement action was on compliance with certain UST regulations and did not make any investigations into spills or releases.

You should also note that facilities are subject to comprehensive UST compliance inspections every three years. For the Meleen facility, the next scheduled inspection to be conducted by EPA (through the duly-authorized tribal inspector) is around April 25, 2016.

Hope this helps.

Kevin

(312) 353-6181

From: Jane M. Long [mailto:JLong@mlcorporateventures.com]
Sent: Friday, December 05, 2014 1:47 PM
To: Chow, Kevin
Subject: RE: Meleen consent agreement

Thank you. Jane



Jane M. Long, Associate General Counsel

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From: Chow, Kevin [mailto:chow.kevin@epa.gov]
Sent: Friday, December 05, 2014 1:41 PM
To: Jane M. Long
Subject: Meleen consent agreement

Janet,

This is the agreement, to start you off. Meleen did pay the \$500 penalty.

Kevin

(312) 353-6181